

Remarks

Rejections Under 35 U.S.C. Section 103

Claims 1 through 19 have been rejected under 35 U.S.C. Section 103(a) as being unpatentable over Halasa et al. (U.S. Patent No. 6,103,842; hereinafter “Halasa”).

Applicants have amended claim 1 to include the limitations of claims 5 and 18, and claims 5 and 18 have been cancelled. Applicants urge the claims are now fully patentable over Halasa.

Claim 1 as currently amended recites that the SBR is made by a process as disclosed in co-pending SN 10/124,006, now U.S. Patent 6,627,715, issued September 30, 2003. This co-pending application is incorporated by reference and the amended limitation disclosed in the current application at page 4, line 21 -page 5, line 5. The specific SBR exemplified in Example 1 was made using the process of U.S. Patent 6,627,715, as disclosed at page 16, lines 17-20. Further, U.S. Patent 6,627,715 is owned by The Goodyear Tire & Rubber Company, the owner of the current application.

Applicants urge that claim 1 as currently amended is not taught nor made obvious by Halasa. The specific SBR as recited in claim 1 is known only from the disclosure of co-pending SN 10/124,006, now U.S. Patent 6,627,715. As this co-pending application is not prior art, and none of the cited art teaches such an SBR, Applicants assert that the claims are now fully patentable over the cited art.

Obviousness-Type Double Patenting

The claims have been rejected over copending application SN 10/313,779. Applicants submit herewith a terminal disclaimer to overcome this rejection. The Commissioner is hereby authorized to deduct the \$110 fee required under 37 C.F.R. § 1.20(d) for filing this terminal disclaimer from deposit account 07-1725. The Commissioner is also hereby authorized to deduct any additional fees that may be required, or to credit any overpayment, to deposit account

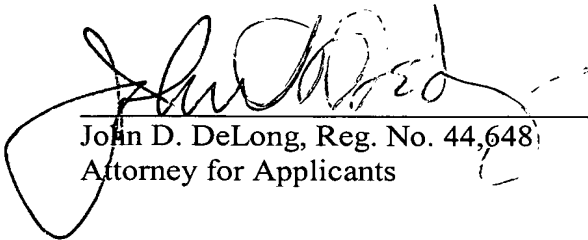
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Conclusion

Applicants urge that the amended claims are now fully patentable over the cited art.

Applicants respectfully request allowance of all claims.

Respectfully submitted,



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